

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOHN DOE,

Plaintiff,

v.

PENNSYLVANIA DEPARTMENT OF  
CORRECTIONS, *et al.*,

Defendants.

No. 4:19-CV-01584

(Chief Judge Brann)

**ORDER**

**AND NOW**, this 9<sup>th</sup> day of August 2022, in accordance with the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that:

1. James Roe is **DISMISSED**.
2. Defendants' motion for summary judgment (Doc. 46) is **GRANTED IN PART AND DENIED IN PART**, as follows:
  - a. **GRANTED** as to the claims against Superintendent Thomas McGinley, Major Victor Mirarchi, Sergeant Leonard, Lieutenant Peters, and Lieutenant Procopio in Counts I and II of the Complaint (Doc. 1).
  - b. **DENIED** as to the claims against Deputy Superintendent Edward Baumbach and Sergeant Batiuk in Counts I and II of the Complaint (Doc. 1).

- c. **GRANTED** as to Counts III, IV, VII, and VIII of the Complaint  
(Doc. 1).
  - d. **DENIED** as to Counts V and VI of the Complaint (Doc. 1).
3. A telephonic status conference will be scheduled by separate Order.

BY THE COURT:

*s/ Matthew W. Brann*

Matthew W. Brann

Chief United States District Judge